

10/575729 PCT/PTO 13 APR 2006

TRANSMITTAL LETTER TO THE UNITED STATES

DESIGNATED/ELECTED OFFICE (DO/EO/US)

CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

112780-052

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/575729

INTERNATIONAL APPLICATION NO.
PCT/JP2004/014236

INTERNATIONAL FILING DATE
September 29, 2004

PRIORITY DATE CLAIMED
October 21 2003

TITLE OF INVENTION

AXLE INTERIOR LUBRICATING DEVICE

APPLICANT(S) FOR DO/EO/US

K. Mori et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. **ED755101586US**

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <div style="font-size: 1.5em; font-weight: bold; margin-top: 10px;">5,015,757</div>	INTERNATIONAL APPLICATION NO. <div style="font-weight: bold; margin-top: 10px;">PCT/JP2004/014236</div>	ATTORNEY'S DOCKET NUMBER <div style="font-weight: bold; margin-top: 10px;">112780-052</div>
23. Other items or information: Copy of WO 2005/038305 A1 with International Search Report		
The following fees have been submitted:		CALCULATIONS PTO USE
24. <input checked="" type="checkbox"/> Basic national fee \$300	\$300	\$300.00
25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article \$0 All other situations. \$200	\$200	\$200.00
26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4). . . \$0 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. \$100 International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. \$400 All other situations. \$500	\$400	\$400.00
TOTAL OF 24, 25 and 26 =		\$900.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets Extra Sheets Number of each additional 50 or fraction thereof (round up to a whole) RATE		
49 - 100 = 0 /50 = 0 x \$250.00	\$0.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).		
CLAIMS NUMBER FILED NUMBER EXTRA RATE		
Total claims 10 - 20 = 0 x \$50.00	\$0.00	
Independent claims 1 - 3 = 0 x \$200.00	\$0.00	
MULTIPLE DEPENDENT CLAIMS (if applicable) <input checked="" type="checkbox"/> + \$360.00		
TOTAL OF ABOVE CALCULATIONS =		\$1,260.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.		
SUBTOTAL =		\$1,260.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).		
TOTAL NATIONAL FEE =		\$1,260.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +		
TOTAL FEES ENCLOSED =		\$1,260.00
Amount to be		\$
Amount to be		\$

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PTO-1396 (Rev. 07-2005)

Approved for use through 3/31/2007. OMB 0651-0021

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-3189. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Michael S. Leonard, Reg. No. 37,557
Everest Intellectual Property Law Group
P.O. Box 708
Northbrook, IL 60065
Phone: 847-272-3400
Fax: 847-272-3417



SIGNATURE

Michael S. Leonard

NAME

37,557

REGISTRATION NUMBER

April 13, 2006

DATE

13/575729
IAP15 Rec'd PCT/PTO 13 APR 2006

IN THE UNITED STATES ELECTED/DESIGNATED OFFICE
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER THE PATENT COOPERATION TREATY

Applicant(s): K. Mori et al.)
For: AXLE INTERIOR LUBRICATING)
DEVICE)
Int'l Appl. No.: PCT/JP2004/014236)
Int'l Filing Date: September 29, 2004)
Serial No.: Not yet assigned)
Filed: April 13, 2006)
Atty Dkt. No.: 112780-052)

CERTIFICATE OF MAILING BY EXPRESS MAIL UNDER 37 CFR 1.10

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the following documents relating to the above-identified application:

1. Transmittal Letter to the United States Designated/Elected Office Concerning a Submission Under 35 USC 371 (3 pgs.);
2. Credit Card Payment Form PTO-2038 (1 pg.);
3. Specification (39 pgs.);
4. Formal Drawings (10 sheets, FIGS. 1-14);
5. Declaration and Power of Attorney (4 pgs.);
6. Preliminary Amendment (7 pgs. with 4 replacement sheets of drawings);
7. International Publication No. WO 2005/038305 A1 (with Search Report);
8. Information Disclosure Statement (2 pgs.);
9. Form 1449 (1 pg.);
10. References (8 foreign patent documents w/ English Abstracts);
11. Recordation Form Cover Sheet (1 pg.);
12. Assignment (2 pgs.);
13. Credit Card Payment Form PTO-2038 (1 pg.);
14. Return Receipt Postcards (2).

are being deposited with the United States Postal Service with sufficient postage as Express Mail in an envelope addressed to:

MAIL STOP PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

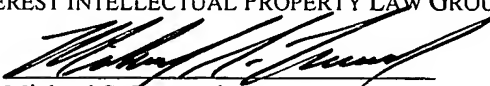
Express Mail Label No. ED755101586US

on April 13, 2006.

Respectfully submitted,

EVEREST INTELLECTUAL PROPERTY LAW GROUP

BY


Michael S. Leonard
P.O. Box 708
Northbrook, IL 60065
Phone: (847) 272-3400